

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.26025 of 2015
Decided on : 14.12.2015**

United Institute of Pharmacy

... Petitioner

Versus

All India Council for Technical Education & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Vivek Aggarwal, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

Challenge in the present writ petition is to the order dated 30.04.2015 (Annexure P9) vide which the case of the petitioner was rejected on the ground that physical inspection was conducted and the setting up of a new technical institute was, thus, declined.

A perusal of the order goes on to show that there were as many as 31 deficiencies pointed out.

Counsel for the petitioner has drawn the attention of this Court to the chart prepared that a large number of deficiencies have been removed.

A perusal of the said communication would also go on to show that as per Clause 9.8 of the Approval Process Handbook 2015-16, it would be open to the petitioner to make fresh application for setting up of new technical institute for the next

academic year. A period of almost 8 months have passed since then. In such circumstances, if the petitioner has been successful in removing the deficiencies, it would always be open to it to approach the authorities, in accordance with law, since it is the case of the petitioner, in the present writ petition also that the said deficiencies have been removed. Even for verifying the said aspect, a fresh inspection team will necessarily have to go to the spot for taking a fresh inspection and examining whether the needful has been done.

In such circumstances, it is open to the petitioner to approach the authorities, afresh, as per the permission granted and thus, it would not be appropriate for this Court to go into the said issues as to whether, at the spot, the deficiencies have been removed or not.

Accordingly, there is no scope for interference in the present writ petition and the same is dismissed in limine.

DECEMBER 14, 2015
sailesh

(G.S. SANDHAWALIA)
JUDGE